

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – November 21, 2008
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:02 a.m., recessed at 10:18 a.m., reconvened at 10:40 a.m. and adjourned at 11:25 a.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks, Day, Kreitzer, Pallinger, Riess

Commissioners Absent: Woods

Advisors Present: Brazell, Lantis (DPW); Mehnert (OCC)

Staff Present: Beddow, Chan, Farace, Gibson, Gonzales, Grunow, Johnston, Kahler, :Lubich, Maxson, Murphy, Ramaiya, Slovick, Stiehl, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of November 7, 2008.

Action: Day - Beck

Approve the Minutes of November 7, 2008 with corrections to Pages 4 and 8 to reflect the absence of Commissioners Brooks, Riess and Woods.

Ayes: 4 - Beck, Day, Kreitzer, Pallinger
Noes: 0 - None
Abstain: 2 - Brooks, Riess
Absent: 1 - Woods

C. Public Communication: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

None.

D. Announcement of Handout Materials Related to Today's Agenda Items

E. Formation of Consent Calendar

POD 08-011, Agenda Item 1:

1. Proposed Zoning Ordinance Clean-Up, POD 08-011, Countywide

The proposed amendments contain minor revisions to various sections, and criteria to allow Certified Farmer's Markets within appropriate locations, thus ensuring compatibility with surrounding uses and properties.

Staff Presentation: Stiehl

Proponents: 1; **Opponents:** 0

The Planning Commission, on consent, recommends approval of these proposed revisions.

Action: Beck – Pallinger

Recommend that the Board of Supervisors:

1. Find that the project as proposed complies with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines because a Negative Declaration dated October 9, 2008 and on file with the Department of Planning and Land Use has been prepared, was advertised for public review commencing on October 9, 2008, and is proposed for adoption by the Board of Supervisors; and
2. Adopt the Form of Ordinance amending the Zoning Ordinance to add Certified Farmers' Market as a temporary use, add Private Burial Plot as an accessory residential use, make miscellaneous minor revisions to the definitions and accessory use regulations and to make minor clarifications and corrections to various regulations.

Ayes:	6 -	Beck, Brooks, Day, Kreitzer, Pallinger, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Woods

P02-019, Agenda Item 2:**2. T.E.R.I., Inc. Educational and Research Center; Major Use Permit P02-019, North County Metropolitan Subregional Plan Area**

The proposed project is a private educational and research facility for individuals with developmental and learning challenges. The project is classified as a "Major Impact Services and Utilities" Use Type, which is permitted with the approval of a Major Use Permit within the A70 (Limited Agricultural) zone. Implementation of the proposed project would include the construction of 11 new buildings that would house classrooms, administration, vocational training, maintenance/storage, recreation, childcare, and horse keeping. The total new building area would be 90,675 square feet and the existing historic Merriam House (approximately 2,025 square feet) would be incorporated into the project, resulting in a total project build-out of 92,700 square feet. A total of 305 children and adult students, and 204 staff persons, would use the facilities Monday through Friday. Saturday activities would include recreational programs. The project includes 287 parking spaces, of which 9 spaces are appropriated for ADA compliance. The General Plan Designation is (19) Intensive Agriculture and the zoning is A70 Limited Agricultural Use Regulations. The proposed project is located at 555 Deer Springs Road in the North County Metropolitan Subregional Plan Area.

Staff Presentation: Ramaiya

Proponents: 2; **Opponents:** 0

Discussion:

Staff requests a two-week postponement of this hearing to allow additional review of public comments.

Action: Pallinger - Day

Continue consideration of Major Use Permit P02-019 to the meeting of December 5, 2008, 9:00 a.m.

Ayes:	6 -	Beck, Brooks, Day, Kreitzer, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Woods

R04-017, S06-004, Agenda Item 3:**3. Valley View Casino Offsite Parking, Zone Reclassification R04-017 and Site Plan S06-004, Valley Center Community Plan Area**

Requested Zone Reclassification to change the existing A70 Limited Agriculture Use Regulation to the S86 Parking Use Regulation. The proposed Zone Reclassification will allow a parking lot of approximately 500 spaces on the subject 9.08-acre site. The lot is to be used by employees of the Valley View Casino, and would be offsite of the Casino and not on tribal lands. The proposed parking lot is located on the southwest corner of the intersection of Valley Center Road and North Lake Wohlford. The Zone Reclassification would also assign the site with a 'D' Special Area Designator. This designator would require approval of a subsequent Site Plan for the specific design of any project allowed under the S-86 Zone. A Site Plan Permit (S06-004) is also proposed as part of the project; however, the Site Plan is not part of this approval. The decision on the Site Plan will be issued by the Director of Planning and Land Use pending the approval of the Zone Reclassification.

Staff Presentation: Taylor

Proponents: 2; **Opponents:** 0

Discussion:

Commissioner Beck compliments the applicant on the design of the project. He notes that the proposed landscape plan also includes non-native plant species and directs that those plants be replaced with indigenous plants.

Action: Beck – Pallinger

1. Recommend that the Board of Supervisors adopt the Form of Ordinance changing the zoning classification of certain property in the Valley Center Community Plan Area (R04-017); and
2. Adopt the Negative Declaration dated July 17, 2008 on file with the Department of Planning and Land Use.

Ayes:	6 -	Beck, Brooks, Day, Kreitzer, Pallinger, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Woods

P06-100, Agenda Item 4:**4. North Peak Communication Equipment Tower, Major Use Permit P06-100, Central Mountain Subregional Plan Area**

Requested Major Use Permit to authorize the continued use of an unmanned Communication Equipment Installation and Exchange facility. The communication equipment tower previously operated under P95-016, which expired in December 2005. The facility includes a 62' tall lattice tower with 6 microwave dishes attached. Supporting equipment includes an equipment shelter, a generator, a propane tank, a replacement water tank for irrigation of the landscaping, and an 8' tall chain link fence surrounding the facility. The project is subject to the Environmentally Constrained Area (ECA) regional category, the (23) National Forest and State Parks land use designations, and is zoned S92 - General Rural. The project site is located at 30059 North Peak Road.

Staff Presentation: Johnston

Proponents: 1; **Opponents:** 3

Discussion:

Community residents opposed to this project allege that (1) the existing towers are highly visible; (2) the applicant refuses to participate in a road improvement agreement; (3) the landscaping required under the expired Major Use Permit was sorely neglected and lacked irrigation; and (4) the applicant has continued to operate the facilities without obtaining a new Major Use Permit. Staff informs the Planning Commission that the applicant has been diligent in his efforts to obtain a new Major Use Permit and, therefore, no penalties for operating the facility without an active Permit have been imposed. Staff acknowledges that the landscaping required under the original Major Use Permit was not maintained and must be replaced, and reminds the Planning Commission that all Major Use Permits receive an inspection one year from the date of implementation; beyond that, no other inspections are performed unless additional monitoring is requested or complaints are received. To alleviate the Planning Commission's concerns regarding the applicant's past noncompliance with the landscaping requirements, Staff believes it might be prudent to direct Staff to perform annual inspection of the project site.

P06-100, Agenda Item 4:

DPW Staff suggests that formation of an assessment district might be a more feasible solution for insuring that road maintenance is provided, because this seems to be of great concern to the community residents present today. The applicant's representative clarifies that the carrier contributed \$48,000 to the homeowners association and currently participates in a maintenance agreement that doesn't expire until 2011. He reminds the Commission that access to the site already exists. The Planning Group representative clarifies that the applicant owns two of the four existing towers on the project site. The existing road maintenance agreement pertains to the other tower, not the tower being discussed today. The Planning Group representative also clarifies that the \$48,000 mentioned by the applicant was contributed by the previous property owner.

Action: Day – Pallinger

Grant Major Use Permit P06-100, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law. Staff is to double the number of required site inspections, and the applicant is to provide 10 trees. It is also recommended that the applicant discuss with DPW Staff the possibility of forming an assessment district to ensure that road maintenance is provided

Discussion of the Action:

Commissioners Beck and Kreitzer are reluctant to support this Motion, stating the applicant has already demonstrated an unwillingness to abide by the requirements of the Major Use Permit.

Ayes:	4 -	Brooks, Day, Pallinger, Riess
Noes:	2 -	Beck, Kreitzer
Abstain:	0 -	None
Absent:	1 -	Woods

P94-017TE, Agenda Item 5:

5. Word of Life Worship Center, Major Use Permit Time Extension P94-017TE, Spring Valley Community Plan Area

Requested time extension of an approved Major Use Permit (P94-017) for an existing church (38,250 square feet) serving 1,000 members. The time extension would allow the church to continue operation without any changes or modifications to the facilities or permitted uses. The project site is subject to the Current Urban Development Area (CUDA) regional category, the Limited Impact Industrial (15) land use designation, and is zoned Limited Industrial (M52). The project site is located at 2701 and 2705 Via Orange Way.

Staff Presentation: Gonzales

Proponents: 0; **Opponents:** 0

This Item is approved on consent.

Action: Beck – Pallinger

Grant Major Use Permit P94-017TE , which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes:	6 -	Beck, Brooks, Day, Kreitzer, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Woods

P06-096, Agenda Item 6:**6. Mesa Grande Wireless, Major Use Permit P06-096, North Mountain Subregional Plan Area**

Request for a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunications facility. The project site is zoned A72 (General Agriculture). The facility will include up to 48 panel antennas and 4 microwave antennas mounted to a 60' tall faux broadleaf tower with associated equipment for a total of four wireless carriers. The proposed faux broadleaf and associated equipment will be enclosed by a 6' tall CMU wall. The project will occupy 2,199 square-feet of the 257.76 acre parcel, which is located off of Highway 79 between Morretis Road and Mesa Grande Road.

Staff Presentation: Lubich

Proponents: 2; **Opponents:** 0

Discussion:

This Item is approved on consent.

Action: Beck – Pallinger

Grant Major Use Permit P06-096, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes:	6 -	Beck, Brooks, Day, Kreitzer, Pallinger, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Woods

P05-036, Agenda Item 7:**7. Black Gold Major Use Permit, P05-036, Lakeside Community Plan Area**

Request for a Major Use Permit to develop a 3.86 acre site with four buildings, consisting of a Cardlock fueling facility, warehouse, office building, car wash and eating and drinking establishment with a drive-through. The Cardlock fueling facility is a customer-based system that requires an account with Cardlock. The facility is not open to the public. Other project amenities include three detached fuel canopies, a car wash canopy, a parking canopy and one freeway oriented sign. The project will be served by the Lakeside Sanitation District and Padre Dam Municipal Water District, and is subject to the (13) General Commercial Land Use Designation and C36, General Commercial Use Regulations. The project site is located directly north of Olde Highway 80 between Pecan Park Lane West and Pecan Park Lane East. A Tentative Parcel Map (TPM 20974) is also proposed as part of the project; however, the TPM is not a part of this approval. The decision on the TPM will be issued by the Director of Planning and Land Use pending the approval of the Major Use Permit.

Staff Presentation:

Proponents: 1; **Opponents:** 2

Discussion:

Following Staff's presentation, the Planning Commission is informed that the applicant will purchase offsite habitat to mitigate biological impacts and make improvements to Lake Jennings Park and Olde Highway 80, in addition to providing other improvements. It is pointed out that improvements are also needed north of Blossom Valley Road and Lake Jennings Park Road but, because the freeway underpass cannot be widened any further, the applicant will discuss other options with DPW Staff. Chairman Riess directs that lighting provisions meet the recommendations of the Lakeside Design Review Board. Commissioner Brooks concurs, and directs that signage provisions also meet the Design Review Board's recommendations.

P06-096, Agenda Item 6:

Action: Day – Pallinger

Grant Major Use Permit P05-036, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law. All lighting and signage is to conform to the Lakeside Planning Design Review Board's recommendations. DPW Staff will work with the applicant to determine the feasibility of other road improvements along Lake Jennings Road.

Discussion of the Action:

Commissioner Beck recommends additional landscaping to mitigate visual impacts. Staff explains that the applicant proposes to provide landscaping along the northern side of the project site, but the rear-yard setback reduction precludes landscaping where the carwash will be located. Following this discussion, Commissioner Pallinger instructs the applicant to double the number of trees to be provided to 48 between the project site and Interstate 8 to reduce possible visual impacts.

Ayes:	6 -	Beck, Brooks, Day, Kreitzer, Pallinger, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Woods

P04-043, Agenda Item 8:**8. North Jamul Wireless Telecom Facility, Major Use Permit P04-043, Jamul-Dulzura Community Plan Area**

Request for a Major Use Permit to authorize the construction and operation of an unmanned wireless facility. The facility includes a 32' tall architectural tower addition to a single family residence onto which 12 panel antennas will be mounted inside. Associated equipment include one control cabinet, two air handler units, five transceiver radios, one telco backboard, one battery, and one cable rack. The associated equipment will be placed within a proposed equipment room that will be attached to the existing single family dwelling under a proposed decking. In addition, two air condenser units will be placed within a 5' tall CMU block wall. The project will occupy approximately 367 square-feet of the 7.81-acre parcel, which is located at 15503 Lyons Valley Road. The project is zoned A72 (General Agricultural

Staff Presentation: Chan

Proponents: 1; **Opponents:** 0

Discussion:

This Item is approved on consent.

Action: Beck – Pallinger

Grant Major Use Permit P04-043, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes:	6 -	Beck, Brooks, Day, Kreitzer, Pallinger, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Woods

Administrative:

F. Director's Report:

- Staff distributes a Work Plan Summary for the Service First Initiative.
- On November 19, 2008, the Board of Supervisors approved the Noise Ordinance amendments (considered by the Planning Commission on November 7, 2008).

G. Report on actions of Planning Commission's Subcommittees:

Commissioners Beck and Day recently participated in a very informative meeting with FAST. An additional meeting will be held prior to the Planning Commission's upcoming Vegetation Management Workshop.

H. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

No Board of Supervisors hearings will be held scheduled prior to the Planning Commission's December 5, 2008 meeting.

I. Discussion of correspondence received by the Planning Commission:

None.

J. Scheduled Meetings:

December 5, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 19, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
January 9, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
January 23, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
February 13, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
February 27, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
March 13, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room

P06-096, Agenda Item 6:

March 27, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
April 10, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
April 24, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
May 8, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
May 22, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 5, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 19, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 10, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 24, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 7, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 21, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 4, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 19, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 2, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 16, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 30, 2009	Planning Commission Workshop, 9:00 a.m., DPLU Hearing Room
November 13, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 4, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room

There being no further business to be considered at this time, the Chairman adjourned the meeting at 11:25 a.m. to 9:00 a.m. on December 5, 2008 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.